

Appln No. 09/522,184

Amdt date May 19, 2005

Reply to Office action of February 24, 2005

REMARKS/ARGUMENTS

Claims 1, 3 - 14, 16 - 26, 28 - 33, and 35 - 47 are pending of which claims 1, 14, and 26 are independent. Claims 1, 7, 11, 14, 26, 41, and 45 are amended.

Claims 7, 11, 41, and 45 are amended for informalities. The term "asynchronous" has been deleted from the claims in order to advance the prosecution of the present application.

Claims 1, 3 - 14, 16 - 26, 28 - 31, and 35 - 47 are rejected under 35 U.S.C. 103(a) as being unpatenatable over Arimilli (U.S. 6,515,984) in view of Murphy (U.S. 2002/0036791). Claims 31 - 33 are rejected under 35 U.S.C. 103(a) as being unpatenatable over the combination of Arimilli and Murphy in view of Chen (US 6,611,531). Applicants submit that all of the claims currently pending in this application are patentably distinguishable over the cited references, and reconsideration and allowance of this application are respectfully requested.

Amended independent claim 1 includes, among other limitations, "detecting whether the received signal is a modulated signal or a voiceband signal by detecting presence of a predetermined tone." Support for this amendment may be found, for example, on pages 11 - 14 of the specification. Arimilli, Murphy, and Chen, alone or in combination, do not teach or suggest the above limitation.

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The sections of Arimilli cited by the Office Action as disclosing "detecting inputs or formats" include col. 7, lines 47 - 53, that talks about the types of interfaces and equipment that each voice channel can handle. Arimilli in another cited section, col. 9, lines 59 - 67, alludes to distinguishing voice from fax. In the last cited section, col. 23, lines 40 - 64, Arimilli discloses detecting voice packets and facsimile packets by packet indicators and flags used within the packets. However, these sections of Arimilli do not teach or suggest "detecting whether the received signal is a modulated signal or a voiceband signal by detecting presence of a predetermined tone." Rather, Arimilli describes distinguishing the voice data from the facsimile data through the header of the data packets where "the facsimile data is placed in a data packet similar to the voice data packet ... except the header of the packet distinguishes between voice data and facsimile data." (Arimilli, col. 24, lines 10 - 15).

Murphy does not disclose or suggest "detecting inputs or formats" altogether. Consequently, independent claim 1 is patentable over the combination of Arimilli and Murphy. Similarly, Chen does not disclose or suggest "detecting whether the received signal is a modulated signal or a voiceband signal by detecting presence of a predetermined tone." As such, Chen does not cure the deficiency of Arimilli and Murphy combined.

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Amended independent claims 14 and 26 include similar limitations that are not taught or suggested by the combination of the cited references. Therefore, these claims are also patentable over the cited references.

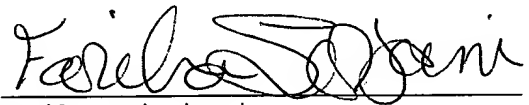
In short, independent claims 1, 14, and 26 define a novel and nonobvious invention over the cited references. Remaining dependent claims 3 - 13 and 16 - 25 are dependent from claims 1 and 14, respectively. Claims 28 - 33 and 35 - 47 are dependent from claim 26. These dependent claims include all the limitations of their respective independent claims and additional limitations therein. Accordingly, these claims are also allowable over the cited references, as being dependent from allowable independent claims and for the additional limitations they include therein.

In view of the foregoing amendments and remarks, it is respectfully submitted that this application is now in condition for allowance, and accordingly, reconsideration and allowance are respectfully requested.

Respectfully submitted,

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